

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO

IN RE:)	CHAPTER 13
)	
MICHAEL L. GRABEL)	CASE NO. 10-55725
CARRIE A. GRABEL)	
)	JUDGE ALAN M. KOSCHIK
Debtors)	
)	<u>MOTION AND NOTICE FOR DISCHARGE</u>

Now come the Debtors, Michael and Carrie Grabel, by and through the undersigned counsel, and move the Court to grant them a discharge in their Chapter 13 case, excepting from discharge Claim #14-1 filed by the Regional Income Tax Agency. Debtors propose paying all sums owed in their Chapter 13 case except Claim #14-1 allowing Debtors to finish their Chapter 13 within a reasonable period in proximity of 60 months from the start of the plan. Claim #14-1 can be addressed by the Debtors after the Chapter 13 is closed, and the creditor protected, because Debtors propose this tax debt not be discharged in this Chapter 13. Claim #14-1 was filed late, April, 2016. The last tax filing in question was done in May, 2015. Now, at the close of their plan and at the 60-month deadline, Debtors have no chance of paying the tax claim within this Chapter 13. Even though they made their monthly payments for 60 months plus, their Chapter 13 is in jeopardy.

WHEREFORE, the Debtors pray that the Court allow them to discharge their Chapter 13 when they pay all allowed claims except Claim #14-1, which claim shall remain not discharged after the close of their Chapter 13.

Respectfully submitted by,



/s/ Robert W. Heydorn

Robert W. Heydorn, Attorney for Debtors
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Cuyahoga Falls, OH 44221
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NOTICE

Pursuant to LBR9013-3 Notice is hereby given that any response or objection must be filed within TWENTY-ONE (21) days, or such other time as specified by applicable Federal Rule of Bankruptcy Procedure or statute or as the Court may order, from the date of service set forth on the certificate of service, if relief sought is opposed, and that the Court is authorized to grant the relief requested without further notice unless a timely objection is filed.

NOTICE OF DEBTOR'S MOTION FOR DISCHARGE

Debtors have filed papers with the Court requesting a Motion for Discharge.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the Court to grant the Debtor's Motion for Discharge without holding a hearing, or if you want the Court to consider your views on the motion, then on or before **May 19, 2016**, you, or your attorney, must:

- File, with the Court, a written request for a hearing, and a written response setting forth the specific grounds explaining your position at:

Clerk, U.S. Bankruptcy Court
Northern District of Ohio
2 South Main Street
Akron, OH 44308

If you mail your Objection to the court for filing, you must mail it early enough so the Court will **receive** it on or before the date stated above.


- You must also mail a copy to:

Robert W. Heydorn, Esq.
527 Portage Trail
Cuyahoga Falls, OH 44221

Keith L. Rucinski, Chapter 13 Trustee
One Cascade Plaza, Suite 2020
Akron, OH 44308

If you, or your attorney, do not take these steps, the Court may decide that you do not oppose the Motion for Discharge and may enter an order granting said Motion without holding a hearing.

Dated: April 28, 2016


/s/ Robert W. Heydorn
Robert W. Heydorn
Attorney for Debtors

CERTIFICATE OF SERVICE

I certify that on April 28, 2016, a true and correct copy of the foregoing Motion was served:

Via the Court's Electronic Case Filing System to these entities and individuals who are listed on the Court's Electronic Mail Notice List:

Keith L. Rucinski, Chapter 13 Trustee at krucinski@ecf.epiqsystems.com,
efilings@ch13akron.com

Office of the U.S. Trustee at registeredaddress@usdoj.gov

And by regular US mail, postage prepaid, on:

Michael & Carrie Grabel
2881 12th Street
Cuyahoga Falls, OH 44223

Care Credit/GE Money Bank
c/o Portfolio Recovery Associates LLC
PO Box 41067
Norfolk, VA 23541

CitiFinancial Inc
c/o eCAST Settlement Corporation
PO Box 29262
New York, NY 10087-9262

City of Cuyahoga Falls
Utility Billing Office
2310 2nd Street
Cuyahoga Falls, OH 44221

City of Cuyahoga Falls
Law Department
2310 2nd Street
Cuyahoga Falls, OH 44221

Dominion East Ohio Gas
Customer Credit Services
PO Box 26666
Richmond, VA 23261-6666

Educational Credit Management Corp
PO Box 16408
Saint Paul, MN 55116-0408

Glenbeigh
PO Box 1023
Andover, OH 44003

Nuvell Credit Company
Bankruptcy Department
PO Box 130424
Roseville, MN 55113

RITA
Attention: Legal Department
PO Box 470537
Broadview Heights, OH 44147

US Bank NA
4801 Frederica Street
Owensboro, KY 42301


/s/ Robert W. Heydorn
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